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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO. 6759		
09/692,824	10/19/2000	Jose Murilo Mourao	MITA 17.869			
26304	7590 03/07/2006		EXAMINER			
	MUCHIN ROSENMA	N LLP	KASTLER,	KASTLER, SCOTT R		
	ON AVENUE (, NY 10022-2585		ART UNIT	PAPER NUMBER		
	,		1742	-		

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	· · · · · · · · · · · · · · · · · · ·	Application	on No.	Applicant(s)				
Office Action Summary		09/692,82	09/692,824 N		MOURAO ET AL.			
		Examiner		Art Unit				
		Scott Kas	tler	1742				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SH WHIC - Exter after - If NO - Failu Any I	ORTENED STATUTORY PERIOD FOR RECHEVER IS LONGER, FROM THE MAILING asions of time may be available under the provisions of 37 CFF SIX (6) MONTHS from the mailing date of this communication. Period for reply is specified above, the maximum statutory per re to reply within the set or extended period for reply will, by state that the provision of the maximum statutory per return the provision of th	DATE OF THE 1.136(a). In no every color will apply and watute, cause the app	HIS COMMUNICATION ent, however, may a reply be timil expire SIX (6) MONTHS from lication to become ABANDONE	I. lely filed the mailing date of this co (35 U.S.C. § 133).				
Status								
2a)	Responsive to communication(s) filed on <u>02</u> . This action is FINAL . 2b) To Since this application is in condition for allow closed in accordance with the practice under	This action is n wance except	on-final. for formal matters, pro		e merits is			
Dispositi	on of Claims							
5)⊠ 6)⊠ 7)□ 8)□ Applicati	Claim(s) 17-32 and 34-43 is/are pending in 4a) Of the above claim(s) is/are without Claim(s) 34-43 is/are allowed. Claim(s) 17-32 is/are rejected. Claim(s) is/are objected to. Claim(s) are subject to restriction and on Papers The specification is objected to by the Exame The drawing(s) filed on is/are: a) are subjected to is/are: a)	drawn from co	nsideration. equirement.	≅xaminer.				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.								
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Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some color None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received.								
2) Notic 3) Inform	e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO-1449 or PTO/SB/ r No(s)/Mail Date	(08)	4) Interview Summary Paper No(s)/Mail Da 5) Notice of Informal Pa 6) Other:	te	D-152)			

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Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/2/2006 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 17-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nachtman et al. Nachtman et al teaches a composite particle and method of making, where the particle comprises a core (11) which may be of fine iron ore (see col. 3 lines 28-37) and a sealing layer (12) which may be formed of a mixture of clay materials and pozzolanic materials (see claim 2 for example) where the clay material may be bentonite clay (see col. 4 lines 10-15 for example) and the pozzolanic material may be Portland cement (see col. 4 lines 34-36 for example), where the disclosure of Nachtman et al includes particle sizes and composition ranges broadly encompassing those instantly claimed, and where the composite particles are formed by contacting the core materials with an aqueous mixture of the sealing layer materials, thereby showing all aspects of the above claims except specifically reciting that the core be iron ore and

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the coating (sealing) layer be bentonite and Portland cement, although as stated above these materials are specifically stated as useful materials for the respective portions of the disclosed composite particles. It has been well settled that where the applied prior art teaches a range of compositions or properties overlapping a claimed range, motivation to select a particular range or value within the range disclosed by the applied prior art would have been a modification obvious to one of ordinary skill in the art at the time the invention was made. See MPEP 2144.05. In the instant case, since Nachtman et al specifically teaches that iron ore is useful for the core of it's claimed composite particle and a mixture of clay materials, including bentonite clay, and pozzolanic materials, including Portland cement are useful as the sealing layer of the composite particle, motivation to employ these components as the core and sealing layer materials of Nachtman et al, would have been a modification obvious to one of ordinary skill in the art at the time the invention was made.

Allowable Subject Matter

Claims 34-43 are allowed at least because none of the cited or applied prior art shows or fairly suggests a method of operating a direct reduction furnace with the recited coated material. The closest cited prior art, Nachtman et al, is directed to the non-analogous method of employing a coated particle as part of a barrier forming layer.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Kastler whose telephone number is (571) 272-1243. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott Kastler Primary Examiner Art Unit 1742